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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 6869/2015 & CM No. 12570/2015**

VEENA

..... Petitioner

Through Ms. Ujala proxy for Mr. Randeep
Singh, Advocate

versus

GOVERNMENT OF NCT & ANR

..... Respondents

Through: Mr. P.S. Singh and Mr. Zeeshan
Ansari, Advocate

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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23.08.2018

1. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to respondent no.1 to complete the necessary formalities for allotment of flat to her as per her entitlement.
2. The petitioner was one of the migrants that had migrated from Punjab during the period of insurgency. She was provided shelter in the Peeragarhi Rehabilitation Camp. In the year 2000, the Delhi Development Authority (DDA), floated a rehabilitation scheme for allotting flats to Punjab Migrants. The petitioner claims that she is entitled to allotment of a flat under that scheme.
3. The petitioner claims that she had submitted her application well within the time prescribed (i.e. 31.03.2008 extended up to 10.04.2008). However, her application was not accompanied with a demand draft as required and, therefore, she re-filed her application in May, 2008. This is

disputed by respondent no.2/DDA and it is claimed that the petitioner had filed her application on 11.09.2008. Thus, according to the DDA, the date of petitioner's application ought to be taken as 11.09.2008. However, prior to the said date, the DDA had already conducted a draw of lots on 20.08.2008 (Draw no. 201)

4. The learned counsel for the DDA has also filed a copy of the application form which indicates that the petitioner had filed the application on 11.09.2008.

5. The learned counsel appearing for the petitioner states that notwithstanding that the petitioner's application was filed after the last date of submission of forms she is still be entitled to be considered as the respondents have also conducted mini draws in respect of other applicant(s).

6. I have heard the learned counsel for the parties.

7. Admittedly, the petitioner's application has not been rejected as yet. It is also seen that more than ten years have elapsed since the petitioner has filed her application. In this view, it would be necessary for the respondents to take an informed view whether the petitioner is still entitled for allotment as prayed by her.

8. In view of the above, the Principal Commissioner (Housing), DDA is directed to examine the case of the petitioner and take a decision whether the petitioner can be accommodated in a future draw of lots or in a mini draw. The concerned officer shall also examine whether any allotment has been made to any applicant, who had submitted his/her application after the due date, i.e., after 10.04.2008. The learned counsel for the petitioner states that the petitioner has also made a representation in this regard. The Principal Commissioner (Housing) shall also consider the same as well as treat the

present petition as a representation on behalf of the petitioner and communicate a final decision to her within a period of eight weeks from today.

9. The petition is disposed of with the aforesaid observations. The pending application is also disposed of.

VIBHU BAKHRU, J

AUGUST 23, 2018

pkv